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#### Practitioner's Docket No. 2002-IP-007945U1

**PATENT** 

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application
of
Inventor(s)
for
Title of invention
OR
In re application of: Eldon D. Dalrymple, et al
Application No.: 0 10/ 612,271 Group Art Unit:
Filed: 07/02/2003
For: Methods of Reducing Water Permeability for Acidizing a Subterranean Formation
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10°
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

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Dat	. 41305	Signature
	] ]	Tammy Knight
		(type or print name of person certifying)

"Only the date of filing (§ 1.6) will be the date used in a petent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [6-3]—page 1 of 3) NOTE: 37 C.F.R. 1.98(b):

- (1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.
- (2) Each U.S. patent application publication listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.
- (3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.
- (4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.
- (5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

WARNING: No extension of time can be had under 37 C.F.R. § 1.136 (a) or (b) for filing an IDS, 37 C.F.R. § 1.97(f).

NOTE: The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Petent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the international Bureau, and optionally an English translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

### IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

- NOTE: "No certification or fee is due when the filing is made within the above time period, it is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."
- NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39). See also § 609, M.P.E.P., 8th Edition.
- NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1892 (1138 O.G. 37-41, 39).

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [6-3]—page 2 of 3) NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

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(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [6-3]—page 3 of 3)



#### PATENT 2002-IP-007945U1

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Eldon D. Dalrymple, et al	) Art Unit: Unknown
Serial No.:	10/612,271	) Art Offic. Officiowii
Filed:	07/02/2003	) Examiner: Unknown
For:	Methods of Reducing Water Permeability for Acidizing a Subterranean Formation	) ) )

#### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

COMMISSIONER FOR PATENTS Alexandria, VA 22313-1450

SIR:

The following documents are known to Applicants or Applicants' attorneys and are submitted for the Examiner to consider in the above-captioned application.

#### U. S. PATENTS

- U.S. Patent Number 3,382,924 issued 05/14/68 to Carl D. Veley, et al;
- U.S. Patent Number 3,434,971 issued 03/25/69 to Bobby L. Atkins;
- U.S. Patent Number 3,910,862 issued 10/07/75 to Eugene S. Barabas, et al;
- U.S. Patent Number 4,129,183 issued 12/12/78 to George Kalfoglou;
- U.S. Patent Number 4,158,521 issued 06/19/79 to Robert W. Anderson, et al;
- U.S. Patent Number 4,299,710 issued 11/10/81 to Jean Dupre, et al;

- U.S. Patent Number 4,366,071 issued 12/28/82 to Homer C. McLaughlin, et al;
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- U.S. Patent Number 4,366,074 issued 12/28/82 to Homer C. McLaughlin, et al;
- U.S. Patent Number 4,374,739 issued 02/22/83 to Homer C. McLaughlin, et al;
- U.S. Patent Number 4,393,939 issued 07/19/83 to Charles W. Smith, et al;
- U.S. Patent Number 4,395,340 issued 07/26/83 to Homer C. McLaughlin;
- U.S. Patent Number 4,401,789 issued 08/30/83 to Charles M. Gideon;
- U.S. Patent Number 4,439,334 issued 03/27/84 to John K. Borchardt;
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- U.S. Patent Number 4,536,305 issued 08/20/85 to John K. Borchardt, et al;
- U.S. Patent Number 4,554,081 issued 11/19/85 to John K. Borchardt, et al;
- U.S. Patent Number 4,563,292 issued 01/07/86 to John K. Borchardt, et al;
- U.S. Patent Number 4,604,216 issued 08/05/86 to Howard B. Irvin, et al;
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- U.S. Patent Number 4,959,432 issued 09/25/90 to You-Ling Fan, et al;
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- U.S. Patent Number 5,146,986 issued 09/15/92 to E. Dwyann Dalrymple;
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- U.S. Patent Number 5,379,841 issued 01/10/95 to Günter Pusch, et al;
- U.S. Patent Number 5,607,902 issued 03/04/97 to Kevin W. Smith, et al;
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- U.S. Patent Number 6,187,839 B1 issued 02/13/01 to Larry Eoff, et al;

- U.S. Patent Number 6,228,812 B1 issued 05/08/01 to Jeffrey C. Dawson, et al;
- U.S. Patent Number 6,237,687 B1 issued 05/29/01 to John Phillip Barbee, Jr., et al;
- U.S. Patent Number 6,253,851 B1 issued 07/03/01 to Donald E. Schroeder, Jr., et al:
- U.S. Patent Number 6,277,900 B1 issued 08/21/01 to Reinhard Oswald, et al;
- U.S. Patent Number 6,283,210 B1 issued 09/04/01 to Mohamed Yousef Soliman, et al;
- U.S. Patent Number 6,380,137 B1 issued 04/30/02 to Karl Heinz Heier, et al, (US English Equivalent of European Patent EP 1 033 378 A1, published 09/06/00);
- U.S. Patent Number 6,476,283 B1 issued 11/05/02 to David D. Devore, et al;
- U.S. Patent Number 6,497,283 B1 issued 12/24/02 to Larry S. Eoff, et al;
- U.S. Patent Number 6,569,983 B1 issued 05/27/03 to Duane Treybig, et al;
- U.S. Patent Number 6,609,578 B2 issued 08/26/03 to Arvind D. Patel, et al;
- U.S. Patent Application Publication Number 2004/0045712 A1 published 03/11/04 by Larry S. Eoff, et al (S/N 10/236,722, Ref. No. 2000-IP-002244U1,
- filed 09/06/02);
- U.S. Patent Application Publication Number 2004/0171495 A1 published 09/02/04 by Frank Zamora, et al (S/N 10/375,787, Ref. No. 2002-IP-007056U1, filed 02/27/03); and

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Copies of the aforementioned non-patent references and Form PTO-1449 are submitted herewith.

Respectfully submitted,

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580-251-3125

PTO-1449

TO-1449
Information Disclosure Citation in an APR 1 5 2005

**Application** 

Application No. 10/612,271 Applicant(s)

Eldon D. Dalrymple, et al Group Art Unit

Docket Number 2002-IP-007945U1 Filing Date 07/02/2005

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DOCUMENT NO.	ISSUE/ PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
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4,627,926	12/09/86	Peiffer, et al	252	8.55R	09/19/84

**EXAMINER** 

**DATE CONSIDERED** 

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

#### PTO-1449

#### Information Disclosure Citation in an **Application**

Application No. 10/612,271

**Docket Number** 2002-IP-007945U1 Eldon D. Dalrymple, et al

Applicant(s)

Group Art Unit Filing Date 07/02/2003

#### **U.S. PATENT DOCUMENTS**

DOCUMENT NO.	ISSUE/PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
4,693,639	09/15/87	Hollenbeak, et al	405	263	06/25/86
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6,277,900 B1	08/21/01	Oswald, et al	523	130	11/19/98

**EXAMINER** 

**DATE CONSIDERED** 

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

PTO-1449	Application No. <b>10/612,271</b>	Applicant(s) <b>Eldon D. Dalry</b>	mple, et al
Information Disclosure Citation in an Application	Docket Number 2002-IP-007945U1	Group Art Unit	Filing Date <b>07/02/2005</b>

#### **U.S. PATENT DOCUMENTS**

DOCUMENT NO.	ISSUE/PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
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US 2004/0229756A1 (US Pat. App. Ser. No. 10/440,337)	11/18/04	Eoff, et al (Ref. No. 2001-IP-005267U1)	507	219	05/16/03
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EXAMINER DATE CONSIDERED

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#### Application No. Applicant(s) PTO-1449 10/612,271 Eldon D. Dalrymple, et al **Docket Number** Group Art Unit Filing Date Information Disclosure Citation in an 2002-IP-007945U1 07/02/2005 **Application U.S. PATENT DOCUMENTS DOCUMENT** ISSUE/PUB. **FILING** NAME CLASS **SUBCLASS DATE** DATE NO. **FOREIGN PATENT DOCUMENTS** TRANSLATION **DOCUMENT NO. DATE COUNTRY CLASS SUBCLASS** Yes No DT 2 250 552 04/18/74 Germany 39b4 19/00 Χ EP 0 383 337 A2 08/22/90 Europe E21B 33/138 Χ EP 0 896 122 A2 02/10/99 Х E21B 33/138 Europe EP 1 033 378 A1 (See Equivalent, X US 6,380,137 B1) EP 1 193 365 A1 04/03/02 Europe E21B 33/138 Χ EP 1 312 753 A1 05/21/03 Х Europe E21B 33/138 GB 2 221 940 A Х 02/21/90 UK C09K 7/02 WO 93/15164 (See Equivalent, X US 5,972,848) WO 99/49183 09/30/99 **PCT** E21B 43/02 Χ WO 99/50530 10/07/99 PCT Х E21B 43/02

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## PTO-1449 Information Disclosure Citation in an Application Application No. 10/612,271 Docket Number 2002-IP-007945U1 Application No. Eldon D. Dalrymple, et al Group Art Unit Piling Date 07/02/2003

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